

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 2, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN K. HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 5412 Longridge Avenue.

PROPERTY OWNER: FLORDELIZA P. CANLAS (\$6,835 – General Fund) - Ward 1 (Tarkanian)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** 6,835**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired James Burke, Inc. to remove refuse, waste, trash, debris, litter and vegetation, landscape front yard, replace broken windows and install protective covering required. To date, there have been sixteen (16) inspections conducted at this location. The value of the property based on the sale date of August 2005 was \$254,900.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$4,000 for work completed by James Burke, Inc., plus a 15% administrative processing fee of \$600, reinspection fees (including late fees) of \$285, civil penalties in the amount of \$1,950, for a total amount of \$6,835, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Submitted after final agenda – Abeyance/objection letter by Appellant

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Motion made by LOIS TARKANIAN to Hold in Abeyance to 6/6/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

BRENDA J. WILLIAMS, LARRY BROWN, LOIS TARKANIAN, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

NOTE: A previous motion for approval by TARKANIAN, which carried unanimously, was reconsidered with motion by TARKANIAN, which carried unanimously with WOLFSON not voting.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

A video was shown but not submitted.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property as a public hazard and attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired James Burke, Inc. to remove refuse, waste, trash, debris, litter and vegetation, landscape front yard, replace broken windows and install protective covering required. Sixteen inspections were conducted at this location. The value of the property based on the sale date in August 2005 was \$254,900. MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$4,000 for work completed by James Burke, Inc., plus a 15 percent administrative processing fee of \$600, reinspection fees including late fees of \$285, civil penalties in the amount of \$1,950, totaling \$6,835, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

The property owner was not present.

MR. SMITH added that at its discretion, the City Council could impose 95 days of civil penalties from November 3, 2006 to February 6, 2007, in the amount of \$47,500. COUNCILWOMAN TARKANIAN recommended 14 days of civil fees at \$500 a-day, for a total of \$7,000.

Upon COUNCILWOMAN TARKANIAN'S query on whether the property owner had been notified, MR. SMITH replied that numerous contacts and acknowledgments were returned to staff showing the Certified letters were received and accepted by the property owner.

MAYOR GOODMAN recalled the item because a letter in the backup from the property owner requested a postponement to the June 6, 2007 City Council meeting due to a medical condition. Given that information, COUNCILWOMAN TARKANIAN reconsidered her previous motion and abeyed the item. MR. SMITH was agreeable to the continuation.

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MAYOR GOODMAN declared the Public Hearing closed.

